

SUPPORT FOR THE AMENDMENTS

Claims 5, 6, 9 and 10 have been amended to remove multiple dependencies. Claim 5 has also been amended for clarity. Newly-added Claims 11-20 are supported by the specification and the original claims. No new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 1-20 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to an optical recording medium comprising, *inter alia*:
a substrate,

a noble-metal oxide layer provided on the substrate,

a first dielectric layer provided on a light-incidence plane side when viewed from the
noble-metal oxide layer

and a second dielectric layer provided on the side opposite to the light-incidence plane
when viewed from the noble-metal oxide layer.

See Claim 1 and Claim 7 (directed to a method of making an optical recording medium).

An important aspect of the invention is the layer of a noble-metal oxide on the
substrate.

The rejections of the claims under 35 U.S.C. §102(b) or §103(a) over Miura et al. are
respectfully traversed. Miura et al. fail to disclose or suggest the claimed optical recording
medium.

Miura et al. disclose an optical recording medium. See the Abstract.

While the reference discloses the use of noble metals in layer 22, layer 22 does not
contain noble-metal oxides as claimed. This is shown in paragraph [61] of the reference in
the formula $(\text{Sb}_x\text{Te}_{1-x})_{1-y}\text{M}_y$. As described in paragraph [62], M may be Ag or Pd, which are
noble metals. However, as clearly shown in the formula in paragraph [61], those elements
are present as the metal, and not a metal oxide.

Miura et al. also disclose a reflective film in paragraph [71]. The film may contain
Ag and Al. That reflective film may also contain Au, Pd and Pt as an additive. However, as
with layer 22, these elements are in the form of the metal, and not a metal oxide.

In fact, nowhere does Miura et al. disclose or suggest the use of a noble-metal oxide in the optical recording medium described therein.

In view of the foregoing, Miura et al. fail to disclose or suggest the claimed optical recording medium. Accordingly, Claims 1-20 are not anticipated by or obvious over that reference. Withdrawal of these grounds of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

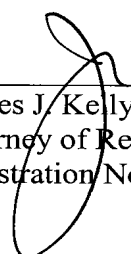
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504